

Remarks/Arguments:

This is a reply to the office action of November 16, in which the claims presented were rejected as unpatentable over Wang's Patent 6428900.

Basis for the amendments is found in the application as indicated below (referring to paragraph nos. of Applicant's publication US 2006/0211808 A1):

Paragraph [0012], first sentence: elastomeric block copolymers are of the general formula A-B and A-B-A;

Definition of diblock content is given in paragraph [0013], last sentence.

The specific A and B blocks are taken from paragraph [0012].

35 USC § 112

The clarification of claim 1 as presented above is believed to avoid any doubt about the meaning of "diblock content". Of course, one single molecule is not meant to be "partially diblocked". What was meant, as is evident in view of the description, and what is now specifically claimed, is that in a mixture of A-B-A and A-B copolymers the proportion of the A-B type on the entirety of block copolymers shall be more than 40%.

It is respectfully submitted that this amendment does not raise any new matter that might require a new search, since this meaning of diblock content was evident from the description from the very beginning.

Moreover, the examiner only raises the § 112 objection with the reasoning that "if there is such a block copolymer that is partially diblocked" - which was not meant and has now been clarified by the presently amended claims. We believe the changes overcome the examiner's objection that there "is not an indication that the claimed 'and elastomeric block copolymer' is a mixture of triblock and diblock copolymers." The objection under 112 is thus deemed moot.

35 USC § 102

First, Wang obviously fails to disclose the feature of the diblock content (which is now even more precisely claimed). This has previously already been accepted by the examiner. Moreover, the now more precisely defined blocks A and B are clearly not disclosed in the context of Wang's invention. In contrast, the compositions of Wang comprise only polyethylene glycol which is evidently not claimed by the claims now presented.

35 USC § 103

The examiner correctly indicated that the polymers noted in column 1, line 50 et seq. of Wang are only described with respect to prior art compositions and are thus irrelevant to the issue of novelty of the Wang composition. Thus, the clear differences between Wang and the present claims are:

- (a) the mere presence of a diblock copolymer in combination with a triblock copolymer;
- (b) the proportion of the diblock polymers with respect to the entirety of block copolymers; and
- (c) the specific choice of the A and B blocks.

It is respectfully submitted that the person of routine skill in the art could not get any incentive from Wang to change the composition in at least the above-identified respects in order to solve the objective technical problem to "enhance the wet peel strength" (cf. [0009]). A document that explicitly aims to provide a "water-dispersible" composition (Wang) would not provide any incentive for a person of ordinary skill in the art to change the composition in order to achieve the contrary, i.e. enhancing the wet peel strength. Furthermore, there is no other reference of record that might render the presently claimed subject matter obvious in combination with Wang, since no document even addresses the problem of improving wet peel strength.

We believe that the above changes overcome the outstanding grounds of rejection and that this application is now in condition for allowance.

Respectfully submitted,

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